



**International Association of
Chiefs of Police**

515 North Washington Street
Alexandria, VA 22314-2357
Phone: 703-836-6767; 1-800-THE IACP
Fax: 703-836-4543
Cable Address: IACPOLICE
Web address: www.theiacp.org

President
Ronald S. Neubauer
Chief of Police
St. Peters, MO

Immediate Past President
Bobby D. Moody
Chief of Police
Marietta, GA

First Vice President
Michael D. Robinson
Director
Michigan State Police
East Lansing, MI

Second Vice President
Bruce D. Glasscock
Chief of Police
Plano, TX

Third Vice President
William B. Berger
Chief of Police
North Miami Beach, FL

Fourth Vice President
Joseph Samuels, Jr.
Chief of Police
Oakland, CA

Fifth Vice President
Joseph M. Polisar
Chief of Police
Garden Grove, CA

Sixth Vice President
Joseph G. Estey
Chief of Police
Hartford Police Department
White River Junction, VT

International Vice President
Christer Ekberg
Director
Swedish National Criminal
Intelligence Service
Stockholm, Sweden

Treasurer
Donald G. Pierce
Chief of Police
Bellingham, WA

Division of State Associations
of Chiefs of Police
General Chair
William P. Nolan
Chief of Police
North Little Rock, AR

Division of State and Provincial Police
General Chair
LeRon R. Howland
Superintendent
Oregon State Police
Salem, OR

Parliamentarian
G.A. Pecoraro
Director
Office of Public Safety
Illinois Secretary of State
Springfield, IL

Executive Director
Daniel N. Rosenblatt
Alexandria, VA
Deputy Executive Director/
Chief of Staff
Eugene R. Cromartie
Alexandria, VA

January 19, 1999

The Honorable William E. Kennard
Chairman
The Federal Communication Commission
1919 M Street, N.W.
Washington, D.C. 20554

RECEIVED

JAN 19 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE CHIEF OF POLICE

Dear Chairman Kennard:

On behalf of the International Association of Chiefs of Police (IACP), I am pleased to provide you with our comments on WT Docket No. 96-86, relating to the allocation of radio spectrum for public safety purposes.

As you may know, the IACP is the world's oldest and largest organization of police executives, representing more than 17,000 members in 110 countries worldwide.

Please let me know if IACP can be of service to you.

Sincerely,

Daniel N. Rosenblatt
Executive Director

No. of Copies rec'd
List ABCDE

048

**Before the
Federal Communications Commission
Washington, D.C.**

In the Matter of)
)
The Development of Operational,)
Technical and Spectrum Requirements)
For Meeting Federal, State and Local)
Public Safety Agency Communication)
Requirements Through the Year 2010)
)
Establishment of Rules and Requirements)
For Priority Access Service)

WT Docket No. 96-86

RECEIVED

JAN 16 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Comments of the
International Association of Chiefs of Police (IACP)
TO THE THIRD NOTICE OF PROPOSED RULE MAKING**

The International Association of Chiefs of Police (IACP) hereby submits these comments in response to the Commissions Third Notice of Proposed Rulemaking proceeding:

IACP is on record with the Commission for almost two decades requesting spectrum relief for Public Safety. While some progress has been made in allocating spectrum for this purpose, IACP continues to see many obstacles in the way of making adequate useful spectrum immediately available. Even with the recommendations of the Public Safety Wireless Advisory Committee (PSWAC) and the recent congressional action calling for relief, none has been forthcoming. In addition to the comments made in various petitions for reconsideration of the FCC rules advanced for the 700 MHz band, IACP would note that no action on the part of the Commission has made this spectrum relief a reality. In fact this NPRM seems to be just another element in a process delaying access to needed spectrum relief. IACP concurs with comments of others that spectrum in the 138-144 MHz band offers the most immediate relief to the acute

shortage in the VHF High Band as noted in the Public Safety Wireless Advisory Committee (PSWAC) report.

The IACP represents the single largest user of public safety spectrum: law enforcement agencies at the local, state and federal levels of government.

I. Introduction

1. In the Third Notice, the Commission seeks comments on the appropriate use of the 8.8 MHz of reserve spectrum, interoperability below 512 MHz, interoperability channels in the 138-144 MHz band, interference to the Global Orbiting Navigation Satellite Systems (GLONASS), and public safety issues affecting Y-2K readiness.

II. IACP Supports Assigning More Authority to Regional Planning Committees

1. The alternatives offered by the FCC for the 8.8 MHz of reserve spectrum include the expanded use of Regional Planning Committees (RPCs), the licensing of the 8.8 MHz to each state to meet statewide public safety or having the 8.8 MHz designated as reserve.

2. IACP has played a key role in RPCs from the early days of their development. Under the National Public Safety Planning Advisory Committee (NPSPAC) this experience, through the development of NPSPAC planning, has shown the following to be key factors in successful planning:

a. That spectrum planning is best accomplished on the local level with the involvement of all agencies that operate in the area.

b. Metropolitan area spectrum problems do not respect geopolitical boundaries. Spectrum planning must encompass the entire Metropolitan area irrespective of political boundaries.

If one is to look at the existing Metro Region, such as Region 19 (New England), the hub is Boston/Providence where the maximum spectrum need mirrors the population density. Region 8 (Metro NY), Region 28 (Metro Philadelphia), Region 20 (Metro Baltimore/Washington) and Region 55 (Metro Chicago) all have the same characteristics of a high-population density as well as a spectrum deficiency. Spectrum planning in these situations, to maximize efficiency, can be accomplished only without regard to geopolitical boundaries.

3. IACP supports reserving a number of channels for statewide public safety systems in a manner as originally proposed by the National Public Safety Telecommunications Council (NPSTC). However, these statewide channels must be subject to reassignment after the expiration of a set period of time if not used by the state. IACP suggests that if a viable state plan is not filed with the appropriate RPC(s) after 5 years, that these “state-only” channels be returned to the jurisdiction of the RPC(s) for reassignment.

4. The current channeling plan for the 764-806 MHz, which intersperses the 8.8 MHz throughout the band, would create a hardship in the planning process. If the Commission determines that a reserve should be created, then the reserve spectrum should be blocked and a new channeling plan developed similar to the plans proposed by NPSTC and Motorola.

5. Finally, we note that a large portion of the 8.8 MHz under consideration is for high-speed data use. IACP strongly supports the construction of an interoperable nationwide high speed data (HSD) network serving all public safety agencies and urges the Commission to restrict these HSD interoperability channels for such use. To provide interoperability, it is critical that the Commission requires that standards, such as those now being developed for Project 34, be in place before these HSD channels are released for general licensing.

III. IACP Supports Interoperability Spectrum Below 512 MHz

1. IACP compliments the FCC on its efforts to obtain relief for public safety interoperability below 512 MHz in response to the PSWAC recommendation of 2.5 MHz of interoperable spectrum in those bands.

2. IACP endorses the Public Safety Communications Council (PSCC) proposal to use the nine (9) identified frequencies in the VHF/UHF band for interoperability. We note that there are both operational and technical limitations on these frequencies.

3. Unfortunately no methodology was suggested as to how the adjacent UHF band frequency users could be protected or how these existing users will be accommodated elsewhere. IACP recommends that the Commission immediately address this issue.

4. A major technical issue is that the channel spacings are inconsistent with the PSWAC recommendation for 12.5 kHz interoperability channels in the VHF and UHF bands, and will thus make these channels extremely difficult to use for interoperability.

5. IACP again strongly endorses the Project 25 Common Air Interface/Vocoder (now ANSI standards) as the digital interoperability standard.

IV. IACP Supports Allocation of 3 MHz in the 138-144 MHz band to Public Safety

1. Allocation of 3 MHz in the 138-144 MHz band is critical to both interoperability and operational use of the VHF High Band. This need is underscored by findings in the recently released National Institute of Justice report that about 75% of state/local law enforcement agencies use the VHF High Band for their primary communications.

2. IACP encourages the Commission to move forward immediately with allocation of this 3 MHz of spectrum for public safety use.

3. In making this allocation, the Commission must remember that the 138-144 MHz band is immediately available to many existing licensees using current equipment (by simple reprogramming). To that end, it is important that some channels be made available in this band for some period of time using current VHF bandwidths and channeling (25 kHz).

4. IACP stands ready to assist the Commission by working with the Congress to clear any roadblocks that may exist to this allocation.

V. IACP Interoperability Channels from the VHF Maritime Band

1. IACP applauds the Commission for providing additional spectrum in the 150-160 MHz band. Even with the extremely limited geographical restrictions, it will provide significant relief to some areas of the country. Unfortunately, it does not meet one of the primary interoperability requirements for interoperability spectrum described in the PSWAC Final Report. Because these channels are not available nationwide, and because many of the areas where use will be permitted already heavily use the 150-160 MHz band, IACP believes these individual areas may benefit more by using these frequencies for operational rather than interoperability use.

2. IACP recommends that the Commission make these frequencies available to the 700 MHz Regional Planning Committees for general public safety operational use.

3. Finally, we call to the attention of the Commission that the PSWAC Final Report and prior filings by this and other organizations have identified other VHF and UHF spectrum that could be made available on a nationwide basis. In particular, this spectrum includes the channels used for the Improved Mobile Telephone Service (IMTS) in the 150-160 MHz and 450-460 MHz bands.

VI. The Year 2000 Technology Problem

1. IACP has supported efforts to educate the public safety community on issues relating to Y2K. The IACP believes that potential Y2K communications problems are primarily a local, state, and federal public safety agency issue and that the primary function of the FCC should be to alert local, state and federal agencies to potential Y2K communications related problems that come to their attention.

2. IACP applauds the Commission for the active role it is taking in alerting the public safety community to the Year 2000 Technology Problem. IACP has supported the Commission in its educational endeavors by participating in the Commission's *Public Safety Year 2000 Roundtable* and providing follow-up information.

3. IACP does not believe it is appropriate to burden either the RPCs or the Public Safety Coordinators with Y2K responsibilities for several reasons:

- a. Neither are funded nor staffed to provide this service
- b. It is probable that neither has the necessary technical expertise to address Y2K problems
- c. Neither will make direct contact with a significant portion of the public safety community in time to "spread the word" regarding Y2K.

4. IACP believes the most effective communications with licensees at this time would be a letter or pamphlet from the Commission to each licensee detailing the Y2K problem in simple, understandable terms and providing a list of resources for the licensee to use.

VII. IACP Strongly Urges Further Technical Review of the GLONASS Issue

1. IACP concurs with the comments of Motorola regarding development of technical standards to protect the Global Orbiting Navigation Satellite System (GLONASS). IACP believes

that the record must be fully developed so that ensuing specifications will reflect accurate information pertinent to the frequencies being used by public safety. IACP concurs with the recommendation for the establishment of a technical committee to address this issue.

VIII. Conclusion

The 8.8 MHz of spectrum noted in this NPRM should be made available to Public Safety without delay. Regional Planning Committees, with representation from all segments of Public Safety should be empowered to make plans for the full use of the 24 MHz, including the 8.8 MHz in their regions, without regard for jurisdictional boundaries. Interoperability should be facilitated in all the current bands used for Public Safety communications as recommended by PSWAC. To that end, some the 138-144 MHz spectrum should be part of the solution for VHF Public Safety systems interoperability. A technical committee should study the requirements for protection of Global Navigation Satellite Systems from Public Safety system interference, before specific technical protection rules are made.

The Commission has been considering relief for Public Safety for over twenty years. IACP strongly objects to further delay in making spectrum available in a practical way today. In jeopardy are the lives and safety of the people we serve and protect as well as our public safety personnel.

Respectfully submitted,

**The International Association of Chiefs of Police
515 N. Washington Street
Alexandria, VA 22314-2357
Telephone: (703) 836-6767**

**By: Chief Ronald S. Neubauer, IACP President
Harlin R. McEwen, Chairman
IACP Communications & Technology Committee**

Dated: January 19, 1999